

09/720037 #5

## IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

International Application No. : PCT/EP99/04286  
 International Filing Date : 21 JUNE 1999  
 U.S. Serial No. : 09/720037  
 Deposit Date U.S. Nat'l Phase : 20 DECEMBER 2000  
 Priority Date(s) Claimed : 25 JUNE 1998  
 Applicant(s) : RASPE, Eric, et al.  
 Title: USE OF REV-ERB FAMILY OF RECEPTORS IN SCREENING

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
 UNDER 35 U.S.C. § 371  
 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
 Box PCT  
 Washington, D.C. 20231  
 Sir:

In response to the Notification of Missing Requirements mailed 26 JULY 2001, attached is the required sequence listing ( paper copy and computer readable copy), as well as a copy of the Notification.

The Surcharge of \$130.00 for providing the requirement later than 30 months from the original priority date is attached.

The Patent and Trademark Office is authorized to deduct any additional fees from, or credit any overpayments to, counsel's deposit account No. 13-3402, a copy of this paper being attached.

Respectfully submitted,

09/26/2001 MKAYPAGH 00000163 09720037

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130.00 OP

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UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Washington, D.C. 20231  
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/720037	RASPE E	MERCK-2179
INTERNATIONAL APPLICATION NO.		

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PCT/EP: 04286

I.A. FILING DATE	PRIORITY DATE
21 JUN 99	25 JUN 98

SEQUENCE LISTING DUE 9/26/01

DATE MAILED 26 JUL 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application.
  - ☒ Oath or Declaration of inventors(s).
  - ☐ Copy of Article 19 amendments.
  - ☐ Priority Document.
  - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☐ Indication of Small Entity Status.
  - ☐ Translation of the international application into English.
  - ☐ Translation of Article 19 amendments into English.
  - ☐ Other:
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee.
  - ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☒ PCT/DO/EO/920

John Anderson

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703 308-9116

BEST AVAILABLE COPY

Dated 8/1/01